

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

Fax Transmission

November 23, 2004

To: Commissioner for Patents
Company: USPTO
Your Ref: 09/838,821 - Fatih M. Uckun
Fax No.: 703.872.9306
Phone No.: 703.872.9305
State/Country: D.C./U.S.A.
Confirmation Via Mail: ☐ Yes ☒ No

From: Denise M. Kettelberger, Ph.D.
Our Ref.: 12152.0077USD1
Fax No.: 612.332.9081
Phone No.: 612.371.5268
Total Pages: 33
E-Mail: dkettelberger@merchant-gould.com
Return Fax To: Lynnda Kraft 31.W12

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NOV 23 2004

Title of Documents Transmitted:

Fax Transmission (in duplicate). Petition for Revival of an Application for Patent Abandoned Unavoidably. Copy of Communication submitted on September 20, 2004, and Amendment (previously submitted copy)

Applicant: Fatih M. Uckun
Serial No.: 09/838,821
Filed: April 19, 2001
Group Art Unit: 1653
Our Ref. No.: 12152.0077USD1

Please charge Deposit Account No. 13-2725 in the amount of \$55.00 to cover the required petition fee for a small entity. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

23552

PATENT TRADEMARK OFFICE

By: Denise M. Kettelberger
Name: Denise M. Kettelberger, Ph.D.
Reg. No.: 33,924

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Lynnda Kraft

Lynnda Kraft
Signature

11/23/04
Date

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Merchant & Gould

An Intellectual Property Law Firm

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55402-2213 USA
TEL 612.332.5300
FAX 612.332.9081
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Fax Transmission | November 23, 2004

To: Commissioner for Patents	From: Denise M. Kettelberger, Ph.D.
Company: USPTO	Our Ref.: 12152.0077USD1
Your Ref: 09/838,821 - Fatih M. Uckun	Fax No.: 612.332.9081
Fax No.: 703.872.9306	Phone No.: 612.371.5268
Phone No.: 703.872.9305	Total Pages: <u>32</u>
State/Country: D.C./U.S.A.	E-Mail: dkettelberger@merchant-gould.com
Confirmation Via Mail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Return Fax To: Lynnda Kraft 31.W12

Title of Documents Transmitted:

Fax Transmission (in duplicate), Petition for Revival of an Application for Patent Abandoned Unavoidably, Copy of Communication submitted on September 20, 2004, and Amendment (previously submitted copy)

Applicant: Fatih M. Uckun
Serial No.: 09/838,821
Filed: April 19, 2001
Group Art Unit: 1653
Our Ref. No.: 12152.0077USD1

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23552

PATENT TRADEMARK OFFICE

By: Denise M. Kettelberger
Name: Denise M. Kettelberger, Ph.D.
Reg. No.: 33,924

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Lynnda Kraft
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S/N 09/838,821

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fatih M. Uckun	Examiner:	Robinson, Hope A.
Serial No.:	09/838,821	Group Art Unit:	1653
Filed:	April 19, 2001	Docket No.:	12152.0077USD1
Conf. No.	2823	Customer No.:	23552
Title:	METHOD FOR INHIBITING C-JUN EXPRESSION USING JAK-3 INHIBITORS		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the Commissioner for Patents, U.S. Patent and Trademark Office, on November 23, 2004 at facsimile number 703.872.9306.

By: 
Name: Lynda Kraft

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 C.F.R. §1.137(a)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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NOV 23 2004

Dear Sir:

The United States Patent and Trademark Office abandoned the above-identified application for failure to file a timely and proper reply to an Office Action dated May 23, 2003. A petition to withdraw the holding of abandonment was filed on September 20, 2004, together with a request for extension of time and a response to the outstanding Office Action (copy enclosed).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

A response to the above-noted Office Action is enclosed herewith (second copy).

Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. §1.137(a) was unavoidable. As indicated in the Communication submitted on September 20, 2004, the Office Action in question was not addressed to the undersigned attorney or law firm of record, but was addressed to a different law

firm, and was never received by Merchant & Gould until Examiner Robinson faxed a copy to the Applicant's Representative on February 4, 2004, well past the date for response. The undersigned attorney was apprised of the outstanding Office Action when the client received a notice of abandonment and telephoned the Examiner to request a copy. The attorney of record submitted a Request to Withdraw the Holding of Abandonment and requested reinstatement of the instant application (copy attached). No reply to this request has been received. Revival of this application is respectfully requested.

Please charge Deposit Account No. 13-2725 in the amount of \$55.00 to cover the required fee for petition for a small entity.

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903

Date:

23 November 2004



Denise M. Kettelberger
Denise Kettelberger, Ph.D.
Reg. No. 33,924
DMK:lek

COPY

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 6123329081

Fax Information

Date Received:

Total Pages:

9/20/2004 4:08:10 PM [Eastern Daylight Time]

15 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.6(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPEP) section 306 et seq.

Received
Cover
Page

11-23-04 17:29 FROM-Merchant & Gould 1		T-379		P.005/032 F-764	
Merchant & Gould Applicant's Representative					
<div style="float: right; font-size: small;"> 2000 1st Street 4th Floor Minneapolis, Minnesota 55402-3201 USA Tel: 612.332.9081 Fax: 612.332.9081 e-mail: info@merchant-gould.com </div>					
Fax Transmission September 20, 2004					
To:	Commissioner for Patents	From:	Denise M. Kerschberger, Ph.D.		
Company:	USPTO	Our Ref.:	33152.0477/USP1		
Your Ref.:	09/23/04 - Usam	Fax No.:	612.332.9081		
Fax No.:	703.872.9306	Trans. No.:	612.332.9081		
Phone No.:	703.872.9306	Total Pages:	15		
State/Country:	D.C./USA	E-Mail:	denise.kerschberger@merchant-gould.com		
Conference on Via Ref:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Return Fax To:	Lynda Krall 21.712		
Title of Documents Transmitted:		Not Transmitted (a) Certificate of Refusal to Withdraw Holdings of Abandonment Petition For Extension of Time and Amendment and Response			
Applicant:	USPTO				
Serial No.:	09/23/04				
Filed:	April 19, 2004				
Group A Unit:	165				
Our Ref. No.:	33152.0477/USP1				
Please charge Deposit Account No. 13-2723 in the amount of \$55.00 to cover the required extension fee for a small entity. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2724. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to cover these papers, if appropriate.					
<div style="border: 1px solid black; padding: 2px;">23552</div>		By: <u>Denise M. Kerschberger</u> Name: Denise M. Kerschberger, Ph.D. Reg. No.: 33324			
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.					
Transmitted by: <u>Denise M. Kerschberger</u> Signature: <u>Denise M. Kerschberger</u>		Date: <u>9-20-04</u>			
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If you did NOT receive all of the pages, please call within the U.S.A. at 612.332.9081 or Fax to: 612.332.9081.					
PAGE 111 * RCV AT USPTO 11/23/04 6:29:12 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/1 * DNIS:8729306 * CSID:6123329081 * DURATION (mm:ss):08:24					

MEMORY TRANSMISSION REPORT

PAGE : 001
 TIME : SEP-20-04 03:08PM
 TEL NUMBER1: 6123329081
 TEL NUMBER2: 6123329081
 NAME : Merchant & Gould 2

FILE NUMBER : 916
 DATE : SEP-20 03:04PM
 TO : 2555148917038729306
 DOCUMENT PAGES : 015
 START TIME : SEP-20 03:04PM
 END TIME : SEP-20 03:08PM
 SENT PAGES : 015
 STATUS : OK
 FILE NUMBER : 916

*** SUCCESSFUL TX NOTICE ***

Merchant & Gould

An Intellectual Property Law Firm

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 60 South High Street
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 55402-3215 USA
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 Fax 612.332.0001
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Fax Transmission | September 20, 2004

To: Commissioner for Patents
 Company: USPTO
 Your Ref: 09/838,621 - Uakum
 Fax No.: 703.872.9306
 Phone No.: 703.872.9305
 State/Country: D.C./U.S.A.
 Confirmation Via Mail: ☐ Yes ☒ No

From: Denise M. Kettelberger, Ph.D.
 Our Ref: 12152.0077USD1
 Fax No.: 612.332.9081
 Phone No.: 612.371.5268
 Total Pages: 15
 E-Mail: dkettelberger@merchant-gould.com
 Return Fax To: Lynda Kraus 31.W12

Title of Documents Transmitted:

Fax Transmission (in duplicate): Request to Withdraw Holding of Abandonment Petition for Extension of Time and Amendment and Response

Applicant: Uakum
 Serial No.: 09/838,621
 Filed: April 19, 2001
 Group Art Unit: 1653
 Our Ref. No.: 12152.0077USD1

Please charge Deposit Account No. 13-2725 in the amount of \$55.00 to cover the required extension fee for a small entity. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

23552

PATENT TRANSMISSION OFFICE

By: Denise M. Kettelberger
 Name: Denise M. Kettelberger, Ph.D.
 Reg. No.: 33,924

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Teresa L. Klover

Teresa L. Klover
 Signature

9-20-04
 Date

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Merchant & Gould

An Intellectual Property Law Firm

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Fax Transmission | September 20, 2004

To: Commissioner for Patents
Company: USPTO
Your Ref: 09/838,821 - Uckun
Fax No.: 703.872.9306
Phone No.: 703.872.9305
State/Country: D.C./U.S.A.
Confirmation Via Mail: ☐ Yes ☒ No

From: Denise M. Kettelberger, Ph.D.
Our Ref.: 12152.0077USD1
Fax No.: 612.332.9081
Phone No.: 612.371.5268
Total Pages: 15
E-Mail: dkettelberger@merchant-gould.com
Return Fax To: Lynnda Kraft 31.W12

Title of Documents Transmitted:

Fax Transmission (in duplicate); Request to
Withdraw Holding of Abandonment; Petition
for Extension of Time; and Amendment and
Response

Applicant: Uckun
Serial No.: 09/838,821
Filed: April 19, 2001
Group Art Unit: 1653
Our Ref. No.: 12152.0077USD1

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23552

PATENT TRADEMARK OFFICE

By: Denise M. Kettelberger
Name: Denise M. Kettelberger, Ph.D.
Reg. No.: 33,924

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Teresa L. Kleven

Teresa L. Kleven
Signature

9-20-04
Date

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Merchant & Gould

An Intellectual Property Law Firm

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80 South Eighth Street
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55402-2215 USA
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www.merchant-gould.com

Fax Transmission | September 20, 2004

To: Commissioner for Patents
Company: USPTO
Your Ref: 09/838,821 - Uckun
Fax No.: 703.872.9306
Phone No.: 703.872.9305
State/Country: D.C./U.S.A.
Confirmation Via Mail: ☐ Yes ☒ No

From: Denise M. Kettelberger, Ph.D.
Our Ref.: 12152.0077USD1
Fax No.: 612.332.9081
Phone No.: 612.371.5268
Total Pages: 15
E-Mail: dkettelberger@merchant-gould.com
Return Fax To: Lynnda Kraft 31.W12

Title of Documents Transmitted:

Fax Transmission (in duplicate): Request to Withdraw Holding of Abandonment; Petition for Extension of Time; and Amendment and Response

Applicant: Uckun
Serial No.: 09/838,821
Filed: April 19, 2001
Group Art Unit: 1653
Our Ref. No.: 12152.0077USD1

Please charge Deposit Account No. 13-2725 in the amount of \$55.00 to cover the required extension fee for a small entity. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers if appropriate.

23552

PATENT TRADEMARK OFFICE

By: Denise M. Kettelberger
Name: Denise M. Kettelberger, Ph.D.
Reg. No.: 33,924

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Teresa L. Kleven

Teresa L. Kleven
Signature

9-20-04
Date

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S/N 09/838,821

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Uckun	Examiner:	Robinson, Hope A.
Serial No.:	09/838,821	Group Art Unit:	1653
Filed:	April 19, 2001	Docket No.:	12152.0077USD1
Title:	METHOD FOR INHIBITING C-JUN EXPRESSION USING JAK-3 INHIBITORS		

CERTIFICATE UNDER 37 CFR 1.600:

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 20, 2004.

By:

Name: Teresa L. KlevenPETITION FOR EXTENSION OF TIMERECEIVED
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NOV 23 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a one-month extension of time be granted in which to respond to the outstanding Office Action mailed May 23, 2004, said period of response being extended from August 23, 2004 to September 23, 2004.

Please charge Deposit Account No. 13-2725 in the amount of \$55.00 to cover the required extension fee for a small entity.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903

Date: 15 September 2004

Denise M Kettelberger
Denise Kettelberger, Ph.D.
Reg. No. 33,924
DMK:lek

23552

PATENT TRADEMARK OFFICE

Appl. No. : 09/838,821
Applicant : Uckun
Filed : April 19, 2001
TC/A.U. : 1614
Examiner : Steele, S.

Confirmation No. 2823

Docket No. : 12152.77USD1
Customer No. : 23552

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 20, 2004.

By: Teresa L. Kieven

Name: Teresa L. Kieven

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Notice of Abandonment mailed February 5, 2004, and faxed from Examiner Robinson on February 4, 2004, citing Applicant's failure to respond to the Office Action mailed May 23, 2003. Applicant respectfully submits that the holding of abandonment is in error and withdrawal of the abandonment is requested. Because the Office Action was mailed to different law firm and not to Merchant & Gould, as noted in the Revocation and Power of Attorney on record in the Application, Applicant never received the office action mailed on May 23, 2003.

Applicant's Representative states that the May 23, 2003 Office Action was not received by the Applicant, or the Applicant's Representative, until Examiner Robinson faxed it to the Applicant's Representative on February 4, 2004. Applicant's Representative searched the file jacket of the above referenced case and did not find a copy of the office action received, except the February 4, 2004 fax copy. As further evidence that the office action was not received by the Applicant's Representative until

February 4, 2004, a copy of the docket record for the above-referenced application is provided herewith. As seen there, there is no entries for the May 23, 2003 Office Action.

Further, the copy of the Office Action provided by the Examiner indicates on its face that it was mailed to the firm of Schwegman, Lundberg, Woessner & Kluth, and not to the undersigned firm. A Revocation and Power of Attorney Document changing the attorney of record from SLWK to Merchant & Gould was filed with the Divisional Application filing papers on April 19, 2001 (copies attached).

In view of this evidence, Applicant requests withdrawal of the holding of abandonment, and reinstatement of the instant application.

It is assumed that the petition fee of \$130.00 is not required in this case. However, if such fee is deemed to be required, it should be charged to the undersigned's Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903

Date:

15 September 2004

23552

PATENT TRADEMARK OFFICE



Denise M. Kettelberger, Ph.D.
Reg. No. 33,924

Enclosures

PCMaster Web Access Module - Patent Case Print

Docket Number : 12152.0077USD1
Country : United States
Case Type : Regular
Relation Type : Division
Filing Type : National
Filing Number : D1
Status : Filed

FILING DATA

First Filing Date	: 6/30/1998	Sub Status Date	: 4/12/2001
Sub Status	: Pending	Parent Filing Date	: 6/30/1998
Parent Country	:	Parent Grant Date	:
Parent Number	:	Ind. Claims/Designs	: 000000000
Total Claims	: 000000000	Application Date	: 4/19/2001
Application Number	: 09/838821	Issue Date	:
Patent Number	:	Publication Date	:
Publication Number	:	Expiration Date	:
Assigned	:	Tax Base Date	:
Convention Type	:	Next Tax Date	:
Responsible Office	: MP		
Attorney	: DMK - DENISE M KETTELBERGER		
Attorney #2	: DMK - DENISE M KETTELBERGER		
Client	: PARKER HUGHES INSTITUTE		
Assignee	: PARKER HUGHES INSTITUTE		
Client Reference	:		

RELATED PARTY INFO

Associate	:	Agent Ref No	:
		Country of Origin	: US

ACTIONS

Action	Action Due Date	Completed Date	Action Notes
CLM PRIORITY-119/120	2/7/1999	2/7/1999	
Published	4/7/1999	4/7/1999	
IDS DUE	7/19/2001	7/19/2001	
Notice of missing parts - 2 Mo	8/28/2001	8/17/2001	
MPARTS 3	9/28/2001	8/17/2001	
Notice of missing parts - 4 Mo	10/28/2001	8/17/2001	
MPARTS 5	11/28/2001	8/17/2001	
Notice of missing parts - fina	12/28/2001	8/17/2001	
STATUS	2/17/2002	2/14/2002	
STATUS	5/17/2002	2/20/2002	

12152.00774USD1

STATUS	8/20/2002	8/20/2002	
STATUS	2/20/2003	2/19/2003	
STATUS	8/19/2003	8/18/2003	
REVIVE APPLN/PTA	1/23/2004	1/23/2004	
STATUS	2/19/2004	2/5/2004	
REVIVAL 6 MO	5/23/2004	5/21/2004	SEE NOT OF ABAN DATED 02/05/2004
FINAL REVIVAL	11/23/2004		INTERVIEW SUMMARY MAILED 2/5/2004
Small Entity Status			

CLIENT INFORMATION**EXPENSES****INVENTORS**

Inventor Name	Assignment Date
UCKUN FM	

OTHER NUMBER

Other Number Code	Other Number	Other Number Date
ADC	PO	7/2/2001

RELATED ID'S

System Code	Docket Number	Country	Case Type	Relation Type	Filing Type	Filing Number	Remarks
PA	12152.0077AUWO	Australia	Regular	Original Filing	Patent Cooperation Treaty	01	
PA	12152.0077CAWO	Canada	Regular	Original Filing	Patent Cooperation Treaty	WO	
PA	12152.0077EPWO	European Patent Convention	Regular	Original Filing	European Patent Case	WO	
PA	12152.0077HKEP	Hong Kong	Regular	Original Filing	European Patent Case	EP	
PA	12152.0077JPWO	Japan	Regular	Original Filing	Patent Cooperation Treaty	01	
PA	12152.0077USP1	United States	Provision Filing	Original Filing	National	P1	
PA	12152.0077USU1	United States	Regular	UTILITY BASED PROVISIONAL	National	U1	
PA	12152.0077WO01	Patent Cooperation Treaty	Regular	Original Filing	Patent Cooperation Treaty	01	

TITLE

METHOD FOR INHIBITING C-JUN EXPRESSION USING JAK-3 INHIBITORS

TEXT

Text Type	Text
RMK	DIV OF 09/345815 FILED 06/30/1999 WHICH IS A UPB OF 60/091150 FILED 06/30/1998

Page generated at 8/27/2004 2:46:36 PM